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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nielsen *et al.*

Confirmation No.: 5726

Serial No.: 10/612,665

Art Unit: 1649

Filed: July 1, 2003

Examiner: Kimberly A. Ballard

For: RECOMBINANT TISSUE
PROTECTIVE CYTOKINES AND
ENCODING NUCLEIC ACIDS
THEREOF FOR THE PROTECTION,
RESTORATION AND
ENHANCEMENT OF RESPONSIVE
CELLS, TISSUES AND ORGANS

Attorney Docket No: 10165-022-999

AMENDMENT UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated February 23, 2007, ("Office Action") and pursuant to the Rules of Practice, please enter the following amendments and consider the following remarks. Enclosed herewith are: (1) an Amendment Fee Transmittal Sheet; (2) Exhibit A: Jacobs K. *et al.*, 1985. "Isolation and characterization of genomic and cDNA clones of human erythropoietin," *Nature* 313(6005):806-810; (3) Exhibit B: Villa, P. *et al.*, 2007. "Reduced functional deficits, neuroinflammation, and secondary tissue damage after treatment of stroke by nonerythropoietic erythropoietin derivatives," *J of Cerebral Blood Flow & Metabolism* 27:552-563; (4) copy of Declaration of Michael L. Brines submitted in U.S. Application Serial Number 09/716,960; and (5) Petition for Extension of Time for three months.

Applicants respectfully request that the amendments and remarks made herein be entered into the record of the instant application. Please charge all required fees to Deposit Account No. 50-3013.

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Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims begin on page 6 of this paper.

Remarks begin on page 16 of this paper.